

LAW OFFICES

FARRAR & BATES, L.L.P.

211 Seventh Avenue North
Suite 420
Nashville, Tennessee 37219

Telephone 615-254-3060
Facsimile 615-254-9835
E-Mail fblaw@farrar-bates.com

J Russell Farrar
William N Bates
Kristin Ellis Berexa
Teresa Reall Ricks
Molly R Cripps
Mary Byrd Ferrara*
Robyn Beale Williams
Jennifer Orr Locklin
Keith F Blue
Christopher J Larkin**

*Also licensed in KY
**Also licensed in AL

RECEIVED
Of Counsel
H LaDon, Baltimore

2004 MAR -4 AM 10:22
T.R.A. DOCKET ROOM

March 2, 2004

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201

Re: Triennial Review Order - 9 Month Proceeding - Loop & Transport, Docket No
03-00527

Dear Guy:

Please find enclosed KMC Telecom III, LLC Third Supplemental Response to BellSouth Telecommunication's First Set of Interrogatories (Interrogatory No 12). The attachment is **Proprietary and Confidential** and is included in a sealed envelope

If you have any questions, please contact me.

Sincerely,

H. LaDon Baltimore
Counsel for KMC Telecom

LDB/dcg
Enclosure

cc. TRA, Attn. Sharla Dillon
Interested Parties' Counsel of Record

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

**IN RE: TRIENNIAL REVIEW)
 ORDER - 9 MONTH) DOCKET NO. 03-00527
 PROCEEDING-)
 LOOP & TRANSPORT)**

**KMC TELECOM III, LLC'S THIRD SUPPLEMENTAL RESPONSE TO
BELLSOUTH TELECOMMUNICATION'S
FIRST SET OF INTERROGATORIES
(INTERROGATORY NO. 12)**

KMC Telecom III, LLC ("KMC") pursuant to the Protective Order of December 10, 2003, Rules 26 02 and 33 01 of the Tennessee Rules of Civil Procedure, and subject to the General and Specific Objections filed on or about December 31, 2003, hereby submits the following **CONFIDENTIAL AND PROPRIETARY** Third Supplemental Response to BellSouth Telecommunications, Inc 's (hereinafter "BellSouth") First Set of Interrogatories.

SPECIFIC INTERROGATORY

12 For each state in Question 8 and 10 that you answered in the affirmative (that you have self-provided or obtained from a third party other than the ILEC or a CLEC that is a party to this proceeding high capacity loops or dark fiber for use in your own operations in providing retail service to your customers) provide a list of the customer locations to which you have deployed such loops, (in electronic format using the attached spreadsheets) identifying:

- a The RSAG valid address of each customer location
- b. The CLLI code of the CLEC switch, wire center, collocation, point of interconnection, etc., from which the loop is extended to the customer location (Provide the full 11-character CLLI)
- c Indicate whether the facility is wholly owned by you (Yes, No), if no, provide the name of the vendor from whom you have purchased all or a portion of the facilities
- d Indicate whether the facility is provided over dark fiber you have obtained from BellSouth on an IRU basis (Yes, No).
- e Indicate whether or not you have the unrestricted ability to serve all customers at that location if it is a multi-tenant location. (Yes, No, NA) This includes access

to all units in the building, access to all buildings in a campus environment and equivalent access to the same minimum point of entry (MPOE), common space, house and riser and other intra building wire as the ILEC. If no, explain in detail any restrictions on your ability to serve customers and explain any and all actions you have taken to address such restrictions

f The capacity deployed and capacity activated to the specific location as of September 30, 2003.

KMC's Second Supplemental Response In addition to its previous responses, and subject to and without waiving its objections as previously made, KMC submits this second supplemental response. KMC's filing includes an updated Confidential and Proprietary Attachment identifying a list of customer locations where KMC has deployed loops at the capacity deployed. Notwithstanding the foregoing, KMC does not have records that identify the capacity in service and to provide BellSouth with such information is unduly burdensome as it requires KMC to conduct site reviews for every customer location where KMC has self provisioned loops. Given KMC's limited field resources, KMC is unable to provide the requested information at this time.

Responsible KMC Employee: Objections provided by Counsel. Substantive response provided by Michael P. Duke.

Respectfully submitted,



H. LaDon Baltimore (BPR No. 3836)
Farrar & Bates, L.L.P.
211 Seventh Avenue North, Suite 420
Nashville, TN 37219
Phone (615) 254-3060
Facsimile (615) 254-9835
don.baltimore@farrar-bates.com



Marva Brown Johnson
KMC Telecom III LLC
1755 North Brown Road
Lawrenceville, GA 30043
Phone (678) 985-6220
marva.johnsonson@kmctelecom.com

Attorneys for KMC Telecom III LLC

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing has been forwarded via U. S Mail, first class postage prepaid, to the following, this 2nd day of March, 2004

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, TN 37201

Charles B. Welch, Esq
Farris, Matthews, et al.
618 Church Street, #300
Nashville, TN 37219

Timothy Phillips, Esq.
Office of Tennessee Attorney General
Consumer Advocate & Protection Division
P. O Box 20207
Nashville, TN 37202

James Wright, Esq
United Telephone - Southeast
14111 Capital Blvd.
Wake Forest, NC 27587

Martha M Ross-Bain, Esq.
AT&T Communications of the South Central States, LLC
1200 Peachtree Street, Suite 8100
Atlanta, GA 30309

Carol Kuhnow
Qwest Communications, Inc
4250 N Fairfax Dr.
Arlington, VA 33303

Henry Walker, Esq.
Boult, Cummings, et al.
P O Box 198062
Nashville, TN 37238-3001

Mark W. Smith, Esq
Strang, Fletcher, et al.
One Union Square, #400
Chattanooga, TN 37402

Nanette S Edwards, Esq
ITC^DeltaCom
4092 South Memorial Parkway
Huntsville, AL 35802

Jon Hastings, Esq.
Boult, Cummings, et al.
P. O. Box 198062
Nashville, TN 37219-8062

Marva Brown Johnson, Esq
KMC Telecom
Senior Regulatory Counsel
1755 North Brown Road
Lawrenceville, GA 30043

Dale Grimes, Esq.
Bass, Berry & Sims
315 Deaderick Street, #2700
Nashville, TN 37238-3001

Guilford Thornton, Esq.
Stokes & Bartholomew
424 Church Street, #2800
Nashville, TN 37219


H. LaDon Baltimore